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BEFORE THE
SURFACE TRANSPORTATION BOARD

FINANCE DOCKET NO. 34391

NEW ENGLAND TRANSRAIL, LLC, d/b/a WILMINGTON AND WOBURN
TERMINAL RAILROAD CO. - CONSTRUCTION, ACQUISITION AND
OPERATION EXEMPTION- IN WILMINGTON AND WOBURN, MA

NATIONAL SOLID WASTES MANAGEMENT ASSOCIATION, ET AL
PETITION FOR DECLARATORY ORDER
OR, IN THE ALTERNATIVE,
PETITION TO REVOKE CONDITIONAL EXEMPTION
AND
REQUEST FOR INFORMAL HEARING

MOTION FOR A PROTECTIVE ORDER



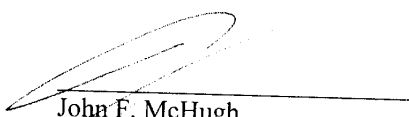
Office of Proceedings
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Pursuant to 49 C.F.R. 1104.14 New England Transrail requests that communications between NET and potential customers of its facility at Wilmington Ma. not be made a part of the public record but that access be limited only to the Board and to the attorneys for the parties directly interested. For the purpose of this motion, the only relevance of these letters is that they evidence NET's concerted efforts to attract a wide range of cargos to its facility and that these efforts are showing signs of success.

Wherefore NET respectfully requests that the communications submitted with the certification of Robert W. Jones, III be maintained as confidential and not be made part

of the public record.

Dated, New York, N.Y.
March 3, 2005



John F. McHugh

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